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MISCELLANY.

TAX ON INSURANCE COMPANIES UPON THE ASSESSMENT PLAN—Section 1286a, Va. Code 1904. Tax Bill, sections 23 and 25.—The Auditor of Public Accounts calls our attention to the fact that sections 23 and 25 of the Tax Bill supersede in part at least subsections 9 and 11, respectively, of section 1286a of Va. Code 1904. It is important that attorneys for assessment companies shall note the changes made by the Tax Bill, and it is suggested to members of the bar that they note the change on the margins of their Codes opposite section 1286a.

THE EFFECT OF AMENDING OR REPEALING A STATUTE WITHOUT MENTIONING PREVIOUS AMENDATORY ACTS—Va. Code, sec. 2850, etc.—It has been recently contended by eminent lawyers that where a section of the Code has been repealed or amended without any mention of intervening amendatory acts, the effect is to leave in force such intervening acts. So far as we know, the question has not been passed on by the courts; but if the contention be true, it gives rise to many difficult questions. For instance, section 2850 of the Code is repealed by Act 1902-3-4, p. 829, without any mention of the amendments to the section found in Act 1893-4, p. 493. This section provides that protest of a note shall be *prima facie* evidence of what is stated therein. If the position above stated be correct, then section 2850 of the Code is repealed, but Act 1893-4, p. 493, still remains in force, and in this particular case it would be very fortunate if the contention be true, for the repeal of the section makes it necessary for the notary protesting the note to be called as a witness in a suit upon such note. Attention was called to this fact in 10 Va. Law Register, p. 89. For our own part, we believe that when a section is amended the original section ceases to have a separate existence. It is lost in its amendment, and the amendment takes the place of and must be read in the room and stead of the original section. See *Christian v. Taylor*, 96 Va. 504. Therefore when section 2850 was amended the amendment became section 2850 of the Code, leaving nothing else for the repealing act to operate upon. But, however this may be, the question involves the status of so many sections of the Code upon which so many rights and remedies may be resting that we give a list of such sections, so that the practitioner may, if he cares to, raise the point in any case upon which the sections mentioned have a bearing. We shall be glad to hear from the members of the bar on the subject.

A list of the sections of the Code repealed without mention of intervening amendatory acts:

<i>Section.</i>	<i>Amendment Omitted.</i>	<i>Repealing Act Omitting Same.</i>
472.....	1889-90, p. 97.....	1902-3-4, p. 643
596.....	1891-92, p. 434.....	1902-3-4, p. 554
601.....	1889-90, p. 72.....	1902-3-4, p. 554
2298.....	1899-00, p. 602.....	1902-3-4, p. 701
2850...	1893-94, p. 493.....	1902-3-4, p. 899
4161.....	1891-92, p. 510.....	1893-94, p. 929
4163.....	1891-92, p. 510.....	1902-3-4, p. 685

List of sections of the Code, the amendments to which fail to mention intervening amendatory acts. This list does not contain those sections where each amendment mentions the amendments immediately preceding it.

<i>Section.</i>	<i>Amendment Omitted.</i>	<i>Act Omitting Same.</i>
64.....	1899-00, p. 843.....	1902-3-4, p. 562
67.....	1893-4, p. 784.....	1899-00, p. 864
68.....	1893-4, p. 730.....	1902-3-4, p. 563
72.....	1897-8, p. 946.....	1902-3-4, p. 563
95.....	1893-4, p. 795.....	1902-3-4, p. 504
93.....	1902-3-4, p. 106.....	1902-3-4, p. 504
102.....	1897-8, p. 245.....	1902-3-4, p. 504
106.....	1891-2, p. 564.....	1902-3-4, p. 504
112.....	1887-8, p. 16.....	1902-3-4, p. 923
117.....	1897-8, p. 858.....	1902-3-4, p. 924
120.....	1897-8, p. 710.....	1902-3-4, p. 925
125.....	1902-3-4, p. 12.....	1902-3-4, p. 933
129.....	1902-3-4, p. 12.....	1902-3-4, p. 934
136.....	1889-90, p. 8.....	1902-3-4, p. 937
137.....	1889-90, p. 8.....	1902-3-4, p. 938
149.....	1901-2, p. 541.....	1902-3-4, p. 941
149.....	1897-8, p. 193.....	1897-8, p. 280
149.....	1893-4, p. 579.....	1897-8, p. 193
177.....	1889-90, p. 6.....	1895-6, p. 198
183.....	1902-3-4, p. 47.....	1902-3-4, p. 155
183.....	1901-2, p. 220.....	1902-3-4, p. 47
183.....	1887, p. 480.....	1891-2, p. 964
184.....	1899-00, p. 929.....	1902-3-4, p. 47
186.....	1901, p. 84.....	1902-3-4, p. 47
186.....	1899-00, p. 90.....	1901, p. 84
197.....	1895-6, p. 113.....	1902-3-4, p. 704
198.....	1895-6, p. 113.....	1902-3-4, p. 704
224.....	1895-6, p. 147.....	1902-3-4, p. 579
279.....	1891-2, p. 270.....	1902-3-4, p. 326
279.....	1891-2, p. 94.....	1891-2, p. 270
280.....	1893-4, p. 178.....	1902-3-4, p. 326
281.....	1901-2, p. 761.....	1902-3-4, p. 326
281.....	1901-2, p. 707.....	1901-2, p. 761
383.....	1891-2, p. 533.....	1902-3-4, p. 708
384.....	1891-2, p. 533.....	1992-3-4, p. 709
385.....	1891-2, p. 533.....	1902-3-4, p. 709
386.....	1891-2, p. 533.....	1902-3-4, p. 710
387.....	1891-2, p. 533.....	1902-3-4, p. 710
388.....	1891-2, p. 533.....	1902-3-4, p. 711
389.....	1891-2, p. 533.....	1902-3-4, p. 711
390.....	1891-2, p. 533.....	1902-3-4, p. 711
391.....	1891-2, p. 533.....	1902-3-4, p. 712
392.....	1891-2, p. 533.....	1902-3-4, p. 712

<i>Section.</i>	<i>Amendment Omitted.</i>	<i>Act Omitting Same.</i>
393.....	1891-2, p. 533.....	1902-3-4, p. 713
394.....	1891-2, p. 533.....	1902-3-4, p. 713
395.....	1901-2, p. 753.....	1902-3-4, p. 713
396.....	1891-2, p. 533.....	1902-3-4, p. 714
397.....	1891-2, p. 533.....	1902-3-4, p. 714
398.....	1891-2, p. 533.....	1902-3-4, p. 714
399.....	1891-2, p. 533.....	1902-3-4, p. 715
400.....	1897-8, p. 316.....	1902-3-4, p. 715
401.....	1891-2, p. 533.....	1902-3-4, p. 715
402.....	1891-2, p. 533.....	1902-3-4, p. 715
403.....	1891-2, p. 533.....	1902-3-4, p. 715
405.....	1901-2, p. 753.....	1902-3-4, p. 716
406.....	1895-6, p. 160.....	1902-3-4, p. 716
420.....	1893-4, p. 260.....	1902-3-4, p. 719
421.....	1893-4, p. 260.....	1902-3-4, p. 719
437.....	1887-8, p. 551.....	1902-3-4, p. 610
441.....	1889-90, p. 137.....	1902-3-4, p. 613
444.....	1893-4, p. 960.....	1902-3-4, p. 613
447.....	1899-00, p. 412.....	1902-3-4, p. 614
525.....	1901, p. 185.....	1901-2, p. 197
573.....	1897-8, p. 948.....	1902-3-4, p. 684
581.....	1897-8, p. 277.....	1902-3-4, p. 577
585.....	1889-90, p. 157.....	1902-3-4, p. 578
614.....	1899-00, p. 203.....	1904, p. 311
637.....	1902-3-4, p. 689.....	1904, p. 227
637.....	1899-00, p. 730.....	1902-3-4, p. 689
650.....	1893-4, p. 472.....	1902-3-4, p. 691
651.....	1899-00, p. 1059.....	1902-3-4, p. 692
653.....	1893-4, p. 473.....	1902-3-4, p. 692
654.....	1893-4, p. 473.....	1902-3-4, p. 692
655.....	1901-2, p. 779.....	1902-3-4, p. 692
664.....	1899-00, p. 512.....	1902-3-4, p. 694
666.....	1899-00, p. 852.....	1902-3-4, p. 695
718.....	1897-8, p. 672.....	1902-3-4, p. 605
812.....	1897-8, p. 577.....	1902-3-4, p. 652
815.....	1899-00, p. 900.....	1902-3-4, p. 653
817.....	1897-8, p. 225.....	1902-3-4, p. 654
817.....	1893-4, p. 494.....	1897-8, p. 225
818.....	1889-90, p. 111.....	1902-3-4, p. 654
819.....	1902-3-4, p. 535.....	1902-3-4, p. 654
821.....	1889-90, p. 5.....	1902-3-4, p. 655
822.....	1893-4, p. 564.....	1902-3-4, p. 655
832.....	1893-4, p. 941.....	1902-3-4, p. 855
833.....	1897-8, p. 39.....	1902-3-4, p. 856
834.....	1899-00, p. 46.....	1902-3-4, p. 856
847.....	1891-2, p. 605.....	1902-3-4, p. 859

<i>Section.</i>	<i>Amendment Omitted.</i>	<i>Act Omitting Same.</i>
862.....	1895-6, p. 374.....	1902-3-4, p. 621
862.....	1893-4, p. 24.....	1895-6, p. 374
865.....	1893-4, p. 25.....	1902-3-4, p. 622
875.....	1889-90, p. 52.....	1895-6, p. 411
890.....	1893-4, p. 397.....	1902-3-4, p. 574
913.....	1889-90, p. 53.....	1902-3-4, p. 569
929.....	1901-2, p. 206.....	1902-3-4, p. 636
1022.....	1902-3-4, p. 68.....	1902-3-4, p. 412
12 1.....	1889-90, p. 105.....	1904, p. 317
1271.....	1889-90, p. 10.....	1889-90, p. 105
1281.....	1891-2, p. 553.....	1897-8, p. 746
1398.....	1897-8, p. 977.....	1901-2, p. 336
1401.....	1897-8, p. 977.....	1902-3-4, p. 687
1406.....	1893-4, p. 485.....	1904, p. 322
1429.....	1902-3-4, p. 382.....	1902-3-4, p. 798
1430.....	1902-3-4, p. 382.....	1902-3-4, p. 799
1433.....	1902-3-4, p. 382.....	1902-3-4, p. 800
1453.....	1897-8, p. 960.....	1902-3-4, p. 408
1453.....	1897-8, p. 929.....	1897-8, p. 960
1466.....	1897-8, p. 587.....	1902-3-4, p. 809
1469.....	1889-90, p. 12.....	1902-3-4, p. 810
1472.....	1895-6, p. 938.....	1902-3-4, p. 811
1492.....	1895-6, p. 352.....	1902-3-4, p. 816
1496.....	1893-4, p. 971.....	1902-3-4, p. 817
1497.....	1899-00, p. 134.....	1902-3-4, p. 817
1501.....	1897-8, p. 731.....	1902-3-4, p. 818
1508.....	1889-90, p. 23.....	1902-3-4, p. 820
1520.....	1887-8, p. 320.....	1902-3-4, p. 822
1551.....	1897-8, p. 923.....	1902-3-4, p. 116
1613.....	1893-4, p. 87.....	1901-2, p. 397
1613.....	1889-90, p. 151.....	1893-4, p. 87
1613.....	1887, p. 415.....	1899-00, p. 151
1652.....	1897-8, p. 276.....	1902-3-4, p. 408
1666.....	1901, p. 253.....	1902-3-4, p. 121
1676.....	1893-4, p. 948.....	1899-00, p. 1041
1683.....	1893-4, p. 956.....	1899-00, p. 1042
1688.....	1887, p. 533.....	1899-00, p. 1043
1747.....	1901, p. 271.....	1902-3-4, p. 244
1747.....	1891-2, p. 255.....	1899-00, p. 1253
1750.....	1891-2, p. 255.....	1899-00, p. 1253
1913.....	1889-90, p. 62.....	1897-8, p. 520
2038.....	1897-8, p. 651.....	1901-2, p. 284
2038.....	1893-4, p. 948.....	1897-8, p. 651
2072.....	1891-2, p. 984.....	1902-3-4, p. 331
2949.....	1897-8, p. 637.....	1901-2, p. 371
3004.....	1877-8, p. 185.....	1902-3-4, p. 597

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3057.....	1895-6, p. 499.....	1902-3-4, p. 764
3057..	1891-2, p. 760.....	1895-6, p. 499
3057.....	1891-2, p. 578.....	1891-2, p. 760
3122.....	1902-3-4, p. 608.....	1904, p. 98
3567.....	1897-8, p. 507.....	1901-2, p. 427
3711.....	1899-00, p. 1082.....	1904, p. 343
3810.....	1895-6, p. 488.....	1895-6, p. 539
4079.....	1901-2, p. 758.....	1902-3-4, p. 21
4093.....	1895-6, p. 254.....	1897-8, p. 846
4133.....	1893-4, p. 296.....	1902-3-4, p. 294
4160.....	1893-4, p. 928.....	1902-3-4, p. 299
4167.....	1893-4, p. 929.....	1902-3-4, p. 299